

By

W. H. H. H. H.

H.B. No. \_\_\_\_\_

## A BILL TO BE ENTITLED

## AN ACT

repealing Articles 7496, as amended, 7497, 7498, 7499, Revised Civil Statutes of Texas, 1925; and Section 3, Chapter 136, General Laws, Acts of the 39th Legislature, Regular Session, 1925 (Article 7499a, Vernon's Texas Civil Statutes), relating to presentations to the Texas Water Rights Commission; and declaring an emergency.

## BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. The following laws relating to presentations to the Texas Water Rights Commission are repealed: Article 7496, as amended by Section 2, Chapter 136, General Laws, Acts of the 39th Legislature, Regular Session, 1925; Articles 7497, 7498, 7499, Revised Civil Statutes of Texas, 1925; and Section 3, Chapter 136, General Laws, Acts of the 39th Legislature, Regular Session, 1925 (Article 7499a, Vernon's Texas Civil Statutes).

Sec. 2. Presentations filed by the Texas Water Rights Commission before the effective date of this Act are not affected by this Act.

Sec. 3. The fact that sufficient engineering and statistical data now exist in all streams where projects of the size contemplated by these statutes are possible creates a situation where the only use of the presentation statutes is to attempt to create a prior right; the importance of this legislation; and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended.

FORM A

(For favorable and unfavorable reports on bills and resolutions,  
where no committee amendments are recommended.)

COMMITTEE REPORT

Date Feb. 28, 1967 ;

HON. BEN BARNES,  
Speaker of the House of Representatives.

SIR:

We, your Committee on CONSERVATION & RECLAMATION to whom was  
referred H. B. No. 176, have had the same under  
consideration and beg to report back with recommendation that it ~~(do not)~~ <sup>( do )</sup>  
pass.

Walter G. Murray  
Chairman.

BILL ANALYSIS

(1) Background Information:

In 1917 when this statute was enacted, it was necessary to file a presentation with the Water Board before looking into the feasibility of a project since modern engineering knowledge was not available. This presentation allowed up to 3 years before filing an application with the Board for the proposed project. Often this amount of time was necessary for a feasibility study to be conducted. Today, however, there is sufficient engineering information so that a presentation is not necessary. Since the date of priority is at the time of the presentation and not the application, today this law is often abused by merely trying to create a prior right.

(2) What the Bill proposes to do:

H. B. No. 176 repeals Articles 7496, 7497, 7498, 7499, Revised Civil Statutes of Texas; and Section 3, Chapter 136, General Laws, Acts of the 39th Legislature. All of these laws relate to presentations to the Texas Water Rights Commission.

(3) Section Analysis:

Section 1. Repeals the laws relating to presentations to the Commission.

Section 2. States that presentations filed by the Texas Water Rights Commission before the effective date of this act are not affected by this act.

Section 3. Declares an emergency.

(4) In Committee:

After the bill was heard by the full committee, it was referred to subcommittee. The subcommittee reported back the bill favorably and the Committee referred the bill back to the House favorably by a unanimous vote.

By: Murray

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\_\_\_\_\_

Austin, Texas

April 12, 1967

Hon. Preston Smith  
President of the Senate

Sir:

We, your Committee on Water and Conservation,  
to which was referred H B. No. 176, have had the same  
under consideration, and I am instructed to report it back to  
the Senate with the recommendation that it do \_\_\_\_\_  
pass \_\_\_\_\_ and be \_\_\_\_\_ printed.

  
Parkhouse

Chairman

CAS

ENROLLED

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Lieutenant Governor  
President of the Senate

Speaker of the House

I hereby certify that H.B. No. 176 was passed by the House on March 8 1967 by a non-record vote.

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Chief Clerk of the House

I hereby certify that H.B. No. 176 was passed by the Senate on April 20 1967 by the following vote: Yeas 31. Nays 0.

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Secretary of the Senate

APPROVED:

May 4, 1967  
Date

John Connally  
Governor

1:56 pm 5/4/67

John L. Hill



By *HB# 176*  
*E. By: Murray*

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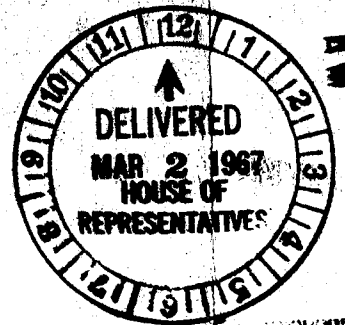
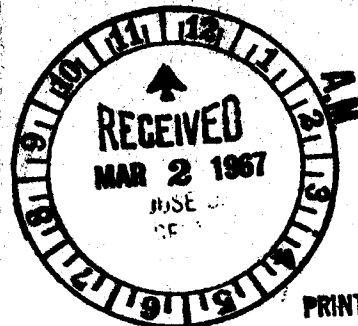
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FILED JAN 24 1967

JAN 26 1967 READ 1ST TIME  
AND REFERRED TO COMMITTEE ON  
*Conservation &  
Reclamation*

MAR 1 1967 REPORTED FAVORABLY

AS AMENDED  
BY THE PRINTER



PRINTED, DISTRIBUTED AND

REFERRED TO COMMITTEE ON

RULES 11:20

MAR 2 1967

(Date)

MAR 8 1967

READ SECOND

TIME AND

ORDERED ENGROSSED

*by non-record vote*  
*Dorothy Hallman*

Chief Clerk, House of Representatives

MAR 8 1967

Constitutional  
Rule requiring bills to be read on  
three several days suspended by  
A four-fifths vote.

Yeas *140* Nays *4*

*Dorothy Hallman*

Chief Clerk, House of Representatives

MAR 8 1967

Read third time

*non-record* and Passed  
by following vote: yeas

*Dorothy Hallman*  
Chief Clerk  
HOUSE OF REPRESENTATIVES

MAR 8 1967

MOTION TO RECONSIDER THE VOTE BY  
WHICH *HB# 176* WAS  
ADOPTED / PASSED AND TO TABLE THE MOTION TO RECON-  
SIDER PREVAILED PASSED BY A *non-record* VOTE

*Dorothy Hallman*  
CHIEF CLERK HOUSE OF REPRESENTATIVES

MAR 8 1967 SENT TO ENGROSSING CLERK

By: Murray

H.B. No. 176

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1-24-67 Filed.

1-26-67 Read first time and referred to Committee on Conservation and Reclamation.

3- 1-67 Reported favorably, sent to printer.

3- 2-67 Printed, distributed and referred to Committee on Rules at 11:30 a.m.

3- 8-67 Read second time and ordered engrossed by a non-record vote.

3- 8-67 Constitutional Rule requiring bills to be read on three several days suspended by a four-fifths vote: Yeas 140, Nays 4.

3- 8-67 Read third time and passed by a non-record vote.

Dorothy Hallman  
Chief Clerk, H. of R.

3- 8-67 Sent to Engrossing Clerk.

3- 8-67 Engrossed.

*Cera Guggins*  
Engrossing Clerk, H. of R.

MAR 9 1967 RETURNED FROM ENGROSSING CLERK SENT TO THE SENATE

MAR 9 1967

IN THE SENATE

Received from the House

MAR 14 1967

Read first time  
and referred to Committee  
on Water and Conservation

APR 12 1967

Reported Favorably:

APR 20 1967

Senate Rule 32 and  
Constitutional Rule (Sec. 32, Art. III)  
suspended by a vote of 31 yeas,  
0 nays, to place bill on third  
reading and final passage.

APR 20 1967

READ THIRD TIME AND PASSED  
BY THE FOLLOWING VOTE:

Yeas 31 Nays 0

*Charles Schnabel*  
Secretary of the Senate

APR 20 1967

READ SECOND TIME,

AND PASSED TO THIRD READING.

APR 20 1967

SENT TO HOUSE

APR 20 1967

RETURNED FROM SENATE

*Dorothy Hallman*

Chief Clerk, House of Representatives

APR 20 1967 SENT TO ENROLLING CLERK